



THE COCHIN CHAMBER OF COMMERCE & INDUSTRY

PRE BUDGET MEMORANDUM 2020 - 21

KERALA

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Submitted by

THE COCHIN CHAMBER OF COMMERCE AND INDUSTRY

The Cochin Chamber of Commerce and Industry, established in the year 1857, has completed 163 years of service to the region's commerce, industry and trade. This Chamber, one of the oldest in the country, is a Promoter Chamber of the Associated Chambers of Commerce and

Industry of India (ASSOCHAM), New Delhi, the oldest national Chamber in India. The activities of the Chamber have undergone several changes over the years in keeping with the changing times and needs so as to provide prompt and effective services to its membership and the business community at large. Since the very beginning, the Chamber has been involved in the advancement of several public causes in the State apart from its regular activities. History tells us that the setting up of the Cochin Port was a result of active inputs from the Cochin Chamber. In recent times the Chamber also played a significant role in the conceptualization of the Cochin International Airport and in promoting the idea in its early stages. Though we are a Chamber of Commerce in the traditional sense, we have always been looking out for ways to reinvent ourselves and make relevant contributions to the society that we live in. In this direction we have recently submitted our inputs on Kerala Farmers Welfare Fund Board Bill 2018, Kerala Metropolitan Transport Authority Bill, Kerala Flood Cess 2019, Foreign Trade Policy, GST E-invoice Consultation Paper, Rebuild Kerala Initiative's Nammal Nammukayi campaign etc.

With this Budget Memorandum, the Chamber hopes to supplement the Government of Kerala's Nava Keralam efforts towards a ***mission mode of development***. This document is aimed at helping prioritise reforms in different fields to strengthen the foundations of the Nava Kerala establishment process. The United Nations in its report *Kerala Post-Disaster Needs Assessment (Floods and Landslides) August 2018* had suggested the need for a 'broad policy framework' which provides a coherent narrative and binds all the sectors to a common vision of Nava Keralam. Our work is a step in that direction. This is a revised version of the "*Rebuild Kerala" Seeking Solutions- People, Policy and Progress* report published by the Chamber in October 2019. The Research Report will suggest sectoral reforms relating to innovation, ease of doing business, education, health, tourism, governance etc. The Chapters will dedicate sections to explain the status quo and suggest interventions with relevant resources. For convenience, we have uploaded all the relevant documents on google drive and is available at <http://bit.ly/CochinChamberPolicy>.

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CHAPTER I

INDUSTRIAL COMPETITIVENESS

- **Upgrading the State's Competitiveness**
- **Ease of Doing Business Reforms**
- **Kerala Export Policy/ Export Promotion Policy**
- **Retail Trade Policy**
- **Logistics Policy**
- **Entry for Microbreweries**
- **Institutionalising Mediation through State Rules**

1. UPGRADING THE STATE'S COMPETITIVENESS

Status quo

Kerala regularly features in the top of rankings relating to Human Development Indices. The push from the Central Government on State level ease of doing business rankings has created a regular platform for discussion and reforms for business sector.

The World Economic Forum annually releases competitiveness scores of 140 countries based on aspects like institutions, infrastructure, macroeconomic environment, health, education, efficiency of goods market, labour market efficiency, technological readiness etc. comprising of a total of 119 indicators. The Kerala Government should consider adopting the World Economic Forum's Global Competitiveness Index format at the State level. For instance, the Government of Andhra Pradesh has collaborated with the World Economic Forum to create the State's Competitive Index Report. Andhra Pradesh stands equivalent to the 49th rank globally when compared to India which is at the 58th rank (2018).

Intervention suggested

1. Develop a Kerala Competitiveness Index report with the help of relevant stakeholders. This will enable Kerala in prioritising the reforms required to position Kerala in the global market. This report could be prepared with the help of agencies like the State Planning Board, the Centre for Development Studies, the KSIDC etc. in consultation with World Economic Forum experts.

Further reading

1. The Global Competitiveness Report 2018 available at <http://www3.weforum.org/docs/GCR2018/05FullReport/TheGlobalCompetitivenessReport2018.pdf>
2. Andhra Pradesh Global Competitiveness Report available at <https://apvision.ap.gov.in/PDFs/GCI.pdf>
3. State Competitiveness Report 2017 prepared by the Institute for Competitiveness available at <https://competitiveness.in/state-competitiveness-report-2017/>

2. EASE OF DOING BUSINESS REFORMS

Status quo

States are ranked based on parameters that include ease in setting up of a business, registration of property, labour compliances, infrastructure availability, finance and tax issues etc. The imposition of the flood cess is expected to negatively impact Kerala's position in the rankings. Kerala's was placed 21st in the country for ease of doing business according to the latest ranking prepared by the World Bank and the Department of Industrial Policy and Promotion (DIPP). In order to improve this ranking, Kerala needs to push for 'ease of doing business reforms' to revive industries and trigger growth within the State. Initiatives like K-SWIFT (Kerala Single-window Interface for Fast, Transparent Clearances), Common Application Form (CAF) and Intelligent Building Planning Management Software (IBPMS), measures to regulate unreasonable hartals etc. are definite steps in the right direction.

Interventions suggested

1. Liberalise laws that hinder investors from investing in Kerala. For example -amendment in the Kerala Shops and Commercial Establishments Act is required to enable shops to remain open 24*7. A Committee can be constituted to examine this subject in consultation with relevant stakeholders.
2. Publish a 'white paper' on the Ease of Doing Business in Kerala. Organise structured consultations with relevant stakeholders and the public at large to solicit inputs and discuss the jump start needed for business growth in Kerala. According to Business Reforms Action Plan ranking data, 44% of the policy reforms listed in the action plan were not implemented(as on 11th February 2019, Source : Ascend Kerala 2019 presentation) . There is immense scope for improvement in this regard.
3. As a measure to make 'business reforms' more participatory, the Government can consider replicating the Karnataka Government's notification mandating consultations

on all policy measures relating to business.

4. Prepare a bilingual handbook (English and Malayalam) for entrepreneurs in consultation with industry stakeholders detailing the steps involved in setting up and operating businesses in Kerala. This should ideally become a ready reckoner for entrepreneurs on the laws and regulations applicable for businesses in Kerala.
5. Policy interventions focusing on sectors like exports, logistics, retail, road infrastructure etc. are required
6. The Kerala Bureau of Industrial Promotion (K-BIP), functioning as the State's interface with prospective entrepreneurs and other State Governments, should consider hiring talented young professionals to assist policymakers in the policy prioritising and implementation process.

Further reading

1. Karnataka circular on mandatory consultation
<https://kum.karnataka.gov.in/KUM/PDFS/Circular.pdf>
2. Federation of Indian Associations Export Organisation's study report on Kerala State Export Competitiveness (2017)

3. KERALA EXPORT POLICY/ EXPORT PROMOTION POLICY

Status quo

A 2017 research study on Kerala's export competitiveness conducted by the Kerala State Industrial Development Corporation (KSIDC) and the Federation of Indian Export Organisations (FIEO) had emphasised the need to explore new sectors in the export domain. States like Andhra Pradesh and Karnataka have dedicated State specific Export Promotion Policies that have boosted the confidence of the exporter community in those States. Kerala has the potential to become the export facilitation hub in the country with the presence of the International Container Transshipment Terminal (ICTT) Vallarpadam, the Cochin International Airport and the proposed Vizhinjam Port. However, only a strong policy supporting the operations undertaken by the exporting community can trigger a massive growth in this sector.

Interventions suggested

1. Draft a comprehensive Export Policy in consultation with the exporting community in Kerala.
2. Adopt the suggestions made in the Federation of Indian Associations Export Organisation's study report on Kerala State Export Competitiveness.

3. Setup USDA's Foreign Agriculture Service like agency .

The United States Department of Agriculture's Foreign Agricultural Service is responsible for releasing reports on markets in different countries for different products. This data serves as a resource for researchers in aiding the Government through evidence based policy interventions. A similar governmental or quasi-governmental institution exclusively dedicated to track the market of products, trade barriers, compliance hurdles etc. can play a huge role in improving the import export landscape in Kerala. The data will also enable the exporters in taking informed decisions.

Further reading

1. Federation of Indian Associations Export Organisation's study report on Kerala State Export Competitiveness
2. Andhra Pradesh Export Promotion Policy available at https://www.apindustries.gov.in/APIndus/Data/Exportpolicy_a p.pdf
3. Karnataka-Export Promotion Policy available at www.kiadb.in/wp-content/uploads/2016/12/Karnataka_export_policy.pdf

4. RETAIL TRADE POLICY

Status quo

High per capita income and a consumption driven economy makes Kerala an ideal location for becoming a prominent retail hub in India. The tag of 'popular tourist destination' also favours the State's chances. However, the State hasn't really been able to make major inroads in the retailing sector. The retail trading community has struggled a lot during the floods and the subsequent imposition of the flood cess. Requiring the upgradation of the GST system for this has only added to the burden. Currently, a prospective retail entrepreneur has to obtain at least 20-30 licences to start his retail business in Kerala. This makes it difficult to establish and operate businesses here. States like Karnataka, Andhra Pradesh and Maharashtra, have formulated dedicated retail trade policies for their States, envisioning global competitiveness in the retail sector. The existence of a strong community trained in the essentials of supply chain management are also crucial for achieving the retail hub target.

Interventions suggested

1. Taking a cue from the relevant State specific policies, the Government of Kerala may consider drafting a State specific Retail Policy after consulting relevant stakeholders.
2. Reduce the regulatory bottlenecks required to establish and operate retail businesses in

Kerala.

3. Facilitate the training required to commence and carry on retail trade with the help of Universities and ASAP (Additional Skill Acquisition Programme). Special emphasis is required on 'Supply Chain Management' training.
4. Incentive Support Scheme for retail traders based on need and performance.

Further reading

1. Retail Trade Policy of Karnataka 2015 available at <https://kum.karnataka.gov.in/KUM/PDFS/RetailTradePolicy-KUMbooklet.pdf>
2. Andhra Pradesh Retail Trade Policy 2015-20 available at https://www.apindustries.gov.in/VCIC/Data/PolicyDocuments/Andhra_Pradesh_Retail_Trade_Policy.pdf
3. Maharashtra Retail Trade Policy 2016 available at https://maitri.mahaonline.gov.in/PDF/Retail_Policy_2016.pdf
4. Retail policy updates available at <https://rai.net.in/advocacy/updates>

5. LOGISTICS POLICY

Status quo

According to the Ministry of Commerce (Government of India) -Deloitte Logistics Ease Across Different States Report 2018 study on logistics infrastructure in States, Kerala's score on facilitating an operating environment is the lowest in the country. The Report was based on the responses from the operators in the State who highlighted aspects such as road restrictions, labour policy and frequent disruptions by transport unions. High port charges at the DP World operated Cochin Terminal etc. makes exporters prefer other ports like Tuticorin for their business. Subsequently, the Kerala Industrial and Commercial Policy 2018 made an attempt to prioritise logistics by envisaging a logistics park in every industrial park, a logistics hub in Kochi, skill development etc. However, the situation in Kerala demands a dedicated 'logistics policy' that addresses the specific concerns raised by the stakeholders. The Government's initiative in controlling hartals is definitely a step worth appreciating. Initiatives have been taken by Maharashtra and the Central Government to prioritise the logistics sector for wooing industrial players and facilitating the ease of doing business.

Interventions suggested

1. Coordinate with the administrative authorities involved in deciding the port handling fees. Logistics fees should be lowered to facilitate ease of doing business.
2. Draft a 'Logistics Policy' for the State in consultation with the relevant stakeholders and the public at large. The policy should highlight the Government's vision in facilitating an end to end logistics support system in place of trading through multi-directional approach for storage, distribution, transportation, ancillary support services, trade facilitation etc.
3. Specialised training courses in logistics and supply chain management.

Further reading

1. Maharashtra Logistics Parks Policy 2018 available at <http://di.maharashtra.gov.in/layouts/15/doistaticsite/English/pdf/MaharashtrasLogisticPolicy.pdf>
2. Draft National Logistics Policy 2019 available at https://commerce.gov.in/writereaddata/uploadedfile/MOC_636850448855371480_Notification-Draft-05022019.pdf
3. Ministry of Commerce (Government of India)-Deloitte Logistics Ease Across Different States(LEADS) Report 2018 available at [https://commerce.gov.in/writereaddata/uploadedfile/MOC_636586311864158092_Deloitte%20-LEADS%20-Logistics-Ease Across Different States Report Jan 2018.pdf](https://commerce.gov.in/writereaddata/uploadedfile/MOC_636586311864158092_Deloitte%20-LEADS%20-Logistics-Ease%20Across%20Different%20States%20Report%20Jan%202018.pdf)

6. ENTRY FOR MICROBREWERIES

Status quo

The proposal to permit microbreweries in Kerala was first mooted by the Government in 2005 wherein the then Tourism Secretary proposed the opening of a microbrewery in the Mascot Hotel, Trivandrum. However, the proposal did not see the light of the day. In 2017, the Excise Department visited Bangalore to understand the working of microbreweries in the city and submitted a report favouring the establishment and functioning of microbreweries in Kerala. The presence of microbreweries can help the tourism industry in attracting more tourists to the State. Aspects such as dry days, permission for only 3 star and above hotels to serve alcohol etc.

are aberrations that disappoint tourists that arrive in Kerala to enjoy the relaxed environment of 'God's own Country.' The opposition to microbreweries has emerged predominantly because of the ignorance about the concept of microbreweries. Beer that is predominantly available in the Kerala market could be months old by the time it reaches the consumer. The fluctuating temperature, quality of packing and transportation affects the quality and taste of the alcohol. Microbreweries are a solution to this problem.

Microbreweries have successfully established their presence in various cities and have certainly changed the quality of drinking. The success is evident from the fact that B9 Beverages Pvt. Ltd, the maker of Bira 91 beer, bagged a 5 year global agreement with the International Cricket Council (ICC) within four years of establishing business. Sports centric microbreweries in Kerala will definitely be a business to look forward to considering the fact that today English Premier League Clubs have begun putting up posts in Malayalam to woo the Kerala audience.

Interventions suggested

1. Release the Excise study report on microbreweries
2. Government should consider setting up and permitting microbreweries in Kerala.

Further reading

1. The Telangana Micro Brewery Rules 2015
<http://www.microbreweryindia.com/wp-content/uploads/2018/04/Telangana-Micro-Brewery-Rules-20151.pdf>
2. Excise Policy of Chandigarh, available at
www.microbreweryindia.com/wp-content/uploads/2018/04/microbrewery-excise-policy-chandigarh.pdf
3. Karnataka Excise(Brewery) Amendment Rules 2011 available at
<http://www.microbreweryindia.com/wp-content/uploads/2018/04/microbrewery-excise-policy-karnataka.pdf>
4. The Andhra Pradesh Excise (Grant of License of Selling by Bar and Conditions of Licence) Rules, 2017 available at
<http://apegazette.cgg.gov.in/gazettes/1498237023894.pdf>

7. INSTITUTIONALISE MEDIATION THROUGH STATE RULES

Status Quo

The Kerala State Mediation and Conciliation Centre (KSMCC) is an initiative of the High Court of Kerala and the Kerala State Legal Service Authority to promote institutionalised mediation within Kerala. It has been conceived as a project to give effect to Section 89 of the Code of Civil Procedure which provides for Mediation as an Alternative Dispute Resolution Mechanism. The project is implemented with the support and guidance of the Mediation and Conciliation Project Committee (MCPC) of the Supreme Court of India.

Unlike Arbitration, we do not have a dedicated legislation dealing with mediation proceedings in India. However, India's ratification of the United Nations Convention on International Settlement Agreements Resulting from Mediation (Singapore Convention 2019) changes the scenario altogether. The Indian Parliament is expected to formalise the mode of institutionalising mediation through some legislative interventions. The Consumer Protection Act 2019 also promotes the idea of mediation. The authorities should seize the opportunity to aggressively promote this alternate dispute resolution mechanism especially since mediation is considered to be the best dispute resolution mechanism for commercial deals wherein the parties wouldn't want to lose out on a deal for want of amicable solutions.

Interventions suggested

- 1) The Kerala State Legal Services Authority in consultation with the High Court should consider drafting a comprehensive Kerala State Mediation Rules. This will hopefully facilitate more mediation based out-of-court settlements.
- 2) The Government may take Singapore International Mediation Center Rules or the Punjab State Mediation Rules 2019 as an example for the formation of Mediation Rules in Kerala.

Further reading

- 1) Punjab State Mediation Rules 2019 available at <http://palsa.gov.in/sites/default/files/PUNJAB%20STATE%20MEDIATION%20RULES%20202019.pdf>

8. ECOSYSTEM FOR MSME REVIVAL

Status quo

In April 2018, various industry organisations like the Kerala State Small Industries Association demanded urgent intervention to revitalize the MSME to overcome the financial crunch faced by the MSME stakeholders in Kerala. After this, Kerala witnessed back-to back floods which resulted in a crisis like situation for the industrial units. Kerala's Industrial Policy, 2018 recognised the crisis faced by sectors like MSME and infrastructure in Kerala. The Kerala MSME Facilitation Act 2019 seems to be a step in the right direction encouraging more players to start their business in Kerala. However, these seem inadequate for the revival of struggling MSMEs in the State.

Suggested intervention

1. Telangana Industrial Health Clinic Ltd model

The Telangana Government in 2017, set up an Industrial Clinic to rehabilitate sick MSMEs by offering them financial and consultancy support. The Telangana Industrial Health Clinic Ltd (TIHCL) set up as a fintech driven Non-Banking Finance Company (NBFC) with equity participation from the Government of Telangana, the Government of India, financial institutions and MSMEs offers managerial, technological and marketing support to revive, rehabilitate and restructure sick, but viable MSMEs. Within two years 104 MSMEs have registered with the TIHCL for revival and 42 units are on the path to revival. A similar clinic like support ecosystem can boost the confidence of the struggling trading community.

Further reading

1. RBI Report of the Expert Committee on Micro, Small and Medium Enterprises available at <https://www.rbi.org.in/Scripts/PublicationReportDetails.aspx?UrlPage=&ID=924>
2. Microsoft case study : TIHCL Revives Ailing Small Businesses and Leverages Microsoft's Digital available at

<https://customers.microsoft.com/en-US/story/727021-tihcl-public-sector-consulting-services-data-insights-india>

9. REVIVING SHOPS AND ESTABLISHMENTS

1. Permission for 24*7 Shopping

Section 10(2) of the Kerala Shops and Commercial Establishment Act, 1960 permits the Government by general or special order, to fix the time at which any establishment or class of establishments shall be opened or closed in any local area. The Tamil Nadu Government vide G.O (Ms).No. 60 dated 28th May 2019 permitted all Shops and Establishments to keep open their establishments open for 24/7 all days of the year for a period of three years with effect from the date of publication of the notification. A similar notification under section 10(2) can boost the retail trade and tourism potential.

2. Prescribing minimum number of employees for registration

In Kerala, all shops and commercial establishments have to be registered under the Act irrespective of the number of workers. Recent amendments in states like Gujarat (Gujarat Shops and Establishments Regulation of Employment and Conditions of Service Act, 2019), Maharashtra (Maharashtra Shop and Establishment Regulation of Employment and Service Condition Act 2017) , Tamil Nadu (Tamil Nadu Shops and Establishments Amendment Act, 2018) etc. have set 10 employees as the benchmark requiring the employer to seek license and registration under this Act. The Kerala Government can consider providing a relief to the establishments employing less than ten workers.

3. Renewal of registration

Section 5 A (5) of the Kerala Shops and Commercial Establishment Act, 1960 prescribes a one year validity to the registration certificate granted under this Act, requiring employers to renew the certificate on a yearly basis. States like Maharashtra amended their provisions to increase the period to ten years. The Odisha Government vide the Draft Odisha Shops and Commercial Establishments (Amendment) Rules, 2019 circulated on 13th June 2019 proposes to do away with the requirement to renew registration of shops and commercial establishments; registration will soon remain valid till revoked / furnishing of undertaking of closure. Taking a cue from these developments, the Kerala Government should also increase the validity period of facilitating ease of starting and doing business in Kerala.

CHAPTER II

FACILITATING INNOVATION

- **Innovation as a policy priority**
- **One MLA One Idea scheme to promote local innovation**
- **Policies to leverage growth from emerging technologies**

10. INNOVATION AS A POLICY PRIORITY

Status quo

The Kochi Metro Rail Ltd., had organised a Kochi Metro Data Innovation Challenge in January 2019 to crowdsource scalable innovative solutions that could improve first and last mile connectivity for metro users in Kochi. The inauguration of the Kerala Technology Innovation Zone in Kochi as an innovation hub is definitely a boost for the tech community in Kerala. However, we need to facilitate more avenues for local innovations through institutionalised funding. Kerala should take a cue from the Karnataka Government which is planning to set up regulatory sandboxes in the State which will allow companies to test innovative technologies in a controlled environment.

Interventions suggested

1. Allocate a sum annually to MLAs for promoting innovation at their Assembly Constituency level (similar to the 'One MP One Idea' scheme in the MPLADS guidelines)
2. Establish regulatory sandboxes to promote innovative ideas.
3. Setup a Kerala Govtech Catalyst fund to support interested external and internal stakeholders in finding innovative fixes to delivery of Government services and policy challenges. The Kerala Development and Innovation Strategic Council could be entrusted with the task of operationalizing these funds through a strong legislative framework.
4. Setup innovation incubation centers in Schools and Colleges. The amended CSR notification permits Companies to invest in Research and Development.

Further reading

1. IIM Bangalore's Karnataka Innovation Report available at <https://www.iimb.ac.in/sites/default/files/inline-files/Karnataka-innovation-report-final.pdf>
2. Karnataka Government to set up Innovation Authority to promote new and emerging tech available at <https://www.thenewsminute.com/article/karnataka-govt-set-innovation-authority-promote-new-and-emerging-tech-109164>
3. United Kingdom Government's White Paper on Regulation for the Fourth Industrial Revolution available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807792/regulation-fourth-industrial-strategy-white-paper-web.pdf
4. Nesta Tools for Innovating in Government available at https://media.nesta.org.uk/documents/20_Tools_Innovating_Government.pdf

11. ONE MLA ONE IDEA SCHEME TO PROMOTE LOCAL INNOVATION

Status Quo

According to the Legislative Assembly Constituency Asset Development Fund Scheme (LAC-ADS) guidelines issued on 04th July 2017 vide GO(P) No.86/2017/Fin, each MLA will be allocated Rs. 5 crore each year for prioritising and investing in Constituency Asset Development works primarily catering to needs like buildings, roads, bridges, water supply, sanitation, irrigation etc.. Details of the projects undertaken by the MLAs are available in the LAC-ADS portal for public consumption. However, the LAC-ADS guidelines ignored the aspect of promotion of innovation that is an integral part of the Members of Parliament Local Area Development Scheme (MPLADS) fund guidelines. Guideline 3.36 of the MPLADS guidelines provided a platform for the citizens from the constituency to innovate and develop solutions for local problems. The guidelines permitted MPs to organise an annual 'One MP – One Idea' Competition that selected the three best innovations for cash awards. Certificates of Appreciation were awarded to the next five best innovations. The awards amounting to a total of Rs. 5.5 lakhs (and any other administrative expenses) will be debited from the MPLADS funds of the Hon'ble MP. A case in point is that of Mr. Jose K. Mani, MP who implemented this in his Kottayam Lok Sabha Constituency in the year 2018 where the winners designed smart solutions to address issues like power transmission loss, sanitation, flooding of tanks etc.

Intervention suggested

1. Allocate a sum annually to MLAs for promoting innovation at the Assembly Constituency level. This can either be an additional fund or a portion carved out of the existing LAC fund. The same can be implemented with the help of Kerala Development and

Innovation Strategic Council and the District Planning Authorities. This will also provide an opportunity for the constituents in constructively engaging in the nation building process.

Further reading

1. News report on Kottayam MP's 'One MP One Idea' Competition <https://www.thehindu.com/news/national/kerala/one-mp-one-idea-results-announced/article24234832.ece>
2. National Innovation Council's presentation (2012) on the Proposal of 'One MP One Idea' http://innovationcouncilarchive.nic.in/index.php?option=com_content&view=article&id=343&Itemid=121
3. Guidelines on Members of Parliament Local Area Development Scheme available at https://www.mplads.gov.in/MPLADS/UploadedFiles/MPLADSGuidelines2016English_638.pdf
4. LAC ADS Guidelines (Malayalam) available at <https://www.ads2.kerala.gov.in/ads/masters/go/download/a3532c8682009d7c49d8610dffaoe3d5>
5. MLA Fund implementation portal <https://www.ads2.kerala.gov.in>

12. POLICIES TO LEVERAGE GROWTH FROM EMERGING TECHNOLOGIES

Status quo

Kerala's excellence in technology related fields should also translate into efforts at the policy level. The Kerala Blockchain Academy (KBA), a path breaking initiative of the State Government in collaboration with the Indian Institute of Information and Technology and Management, Trivandrum is the first of its kind in India . The State should set an example by finalising sector specific policies to drive the 4.0 revolution.

Some notable interventions

1. The Telangana Government had released a draft version of the Telangana Blockchain Policy, 2019 in May 2019 with an aim to become a leader in emerging technologies and to position Hyderabad as one of the top 10 Blockchain cities of the world.
2. The Telangana Government also released a draft Drone Policy, 2019 (pending approval from DGCA) to enable the growth of the drone industry and improve service delivery to the citizens. As a consequence, Hyderabad is set to become the first drone city in the

country.

3. The Maharashtra Government approved the State's Cloud Computing Policy in January, 2018. In August, 2018 the Government empaneled five service providers ; Amazon Web Services, Microsoft, Net Magic, Control-S and ESDS to store the official documents and files produced by the Departments. This move sought to provide public access to State data.

Interventions suggested

1. A structured policy framework to promote and nurture initiatives in the emerging tech space.
2. Institutionalised training for students to prepare themselves for industrial Revolution 4.0.

Further reading

1. Draft Telangana Blockchain Policy 2019 available at www.community.nasscom.in%2Fdownload.php%3Ffile%3Dwp-content%2Fuploads%2Fattachment%2F16593-telangana-blockchain-policy-draft-may-2019.pdf&usg=AOvVaw2CcMAWKPbaGvsWmYOZf47c
2. Draft Telangana Drone Policy 2019 available at <https://it.telangana.gov.in/wp-content/uploads/2019/02/Telangana-State-Drone-Policy- Draft.pdf>
3. Telangana Data Centre Policy 2016 available at <https://www.telangana.gov.in/PDFDocuments/Telangana-Data-Centres-Policy.PDF>
4. University of Oxford's Technical Report on Standards for AI Governance: International Standards to Enable Global Coordination in AI Research & Development available at <https://www.fhi.ox.ac.uk/wp-content/uploads/Standards -FHI-Technical-Report.pdf>
5. Instructions on Maharashtra Cloud Computing Policy 2018 available at <https://maitri.mahaonline.gov.in/PDF/Cloud Computing.pdf>

CHAPTER III

INTERVENTIONS FOR

AGRICULTURE

- **Promote awareness about Crop Insurance**
- **State Plantation Policy**
- **Geographical Indication Policy**

13. PROMOTE AWARENESS ABOUT CROP INSURANCE

Status quo

The Kerala Government displayed its commitment towards farmers by initiating discussions on the Farmers' Welfare Fund Board Bill, 2018. The participation of the public at consultation events organised by the Select Committee Farmers' Welfare Fund Board Bill, 2018 depicts the importance of the proposed policy for the State of Kerala. Participants at a Thodupuzha consultation event held on 19th July 2019 emphasised the need for a structured marketing campaign to promote the State Government's Crop Insurance Programme. If farmers were aware and had registered for the same, they would have recovered from their crop loss through insurance claims caused by the floods this year. Therefore, it is vital that strong marketing strategies are devised to promote this scheme.

Interventions suggested

1. Coordinated mass communication efforts must be designed to popularise the scheme. The www.keralarescue.in portal that was used to coordinate rescue efforts became popular because of a united effort from the public at large that was boosted with the active participation of elected representatives and celebrities. A similar targeted campaign should be launched to make target stakeholders aware of the existence of these Crop Insurance Schemes.
2. Village Panchayats with the help of Krishi Bhavans should conduct door to door campaigns generating awareness about the schemes available for the farmers. Pamphlets on general and crop specific insurances should be made available to all farmers in the State.

Further reading

1. State Crop Insurance Scheme - Restructured - G.O(MS)No.37/2017/of Agri (Agri) Department, Dated: 22.03.2017 available at https://keralaagriculture.gov.in/wp-content/uploads/2019/01/go_and_circular/go_30052017_01.pdf
2. Crop Insurance in India: Key Issues and Way Forward available at http://icrier.org/pdf/Working_Paper_352.pdf

14. STATE PLANTATION POLICY

Status quo

The State of Kerala boasts of a predominant position in cash crop production and exports in the country. Kerala has a substantial share in the four plantation crops viz. rubber, tea, coffee and cardamom. These four crops together occupy 7.05 lakh hectares, accounting for a 34.6 percent of the net cropped area in the State (Appendix 2.4 of Economic Review 2018). Kerala's share in the national production of rubber is 78 percent, cardamom 88 per cent, coffee 21 per cent and tea 4.7 per cent during the year 2017-18 (Appendix 2.11 of Economic Review 2018). Dr. M.S Swaminathan, in his study report titled "Building a Sustainable Agricultural Trade Security System for Kerala" suggested a comprehensive policy framework for the plantation sector.

The Cochin Chamber of Commerce & Industry commends the Government in taking proactive steps towards framing a Plantation Policy for the State. We appreciate the fact that the Hon'ble Minister for Labour Mr. T P Ramakrishnan took the initiative to organize a Workshop in Cochin on the 21st of January 2020 to discuss the draft Plantation Policy with the stakeholders. In this connection and as submitted at the Workshop, we would like to emphasise the fact that the Plantation Policy that the Government finally adopts will be effective only if the Revenue, Forests and Industries Departments are also brought into the picture. The success in implementing the Policy will depend on the efficient coordination and cooperation between all departments and agencies concerned.

Interventions suggested

1. The National Research Programme on Plantation Development (NRPPD) initiated by the Centre for Development Studies (CDS) can be requested to study the impact of the 2018 & 2019 floods on the plantation economy and suggest structural reforms to support the plantation farmers.
2. Ensure Minimum Support Price for plantation crops.
3. Revisit the Neera project which created an export market. The flaws in the previous project should be identified and rectified.

Further reading

1. CDS Stakeholder Consultation on Crisis in Plantation Sector: In search of long term strategies available at http://cds.edu/wp-content/uploads/2016/02/Report_Crisis_Feb6.pdf
2. CDS report on Loss to plantation sector due to natural calamities in August 2018 available at http://cds.edu/wp-content/uploads/2019/06/Report_Loss-to-plantation-sector-due-to-natural-calamities-2018.pdf
3. CDS report on *Structural Infirmities in Indian Plantation Sector: Natural Rubber and Spices* available at http://cds.edu/wp-content/uploads/2013/01/Report_StructuralInfirmities.pdf

15. GEOGRAPHICAL INDICATION POLICY

Status Quo

Since the first Geographical Indication (GI) in India was registered in 2004, 301 GI's have been granted registration (as on July 20, 2019) by the GI Registry, India. The Commerce Ministry has initiated a programme to promote branding and commercialisation of GI products for exports. GI products in developed countries have generated sizeable export revenues. Kerala has also successfully campaigned and has been awarded Geographical Indication tags for many products such as Aranmula Kannadi, Payyannur Pavithra Mothiram etc. In recent months, the GI tag was awarded for Marayoor jaggery and Tirur betel leaf. Despite having many unique products with the GI tag, the economic prospects of these products have not been completely utilised. We need a strong strategic framework to support the marketing of these unique products in the global market. Araku coffee's (granted GI tag in March 2019) journey from the tribal hamlets near Visakhapatnam to the global market can be considered as a case study worth exploring. The State Finance Minister had visited Araku and expressed his intention to replicate a similar model in Kerala.

Intervention Suggested

- 1) Recently, the Karnataka Government organised a discussion with exporters to discuss the State's proposal draft on Karnataka's Geographical Indication Policy. The Kerala Government could also consider initiating a discussion on a State centric policy framework focusing on the awareness and marketing aspects. The WTO Cell in the Agriculture Department can collaborate with experts in the field to undertake this task.
- 2) The Government may consider the recommendations made in the research study undertaken by the Center For WTO Studies regarding the branding and marketing of GI products

Further reading

- 1) Marketing of GI Products: Unlocking their Commercial Potential, Centre for WTO Studies, Indian Institute of Foreign Trade (2015) available at <http://wtocentre.iift.ac.in/Papers/Marketing%20of%20GI%20Products%20Unlocking%20their%20Commercial%20Potential.pdf>
- 2) Karnataka mulls Geographical Indication Policy available at <https://www.thehindubusinessline.com/news/national/karnataka-mulls-geographical-indication-policy/article27027385.ece>
- 3) The amazing journey of Araku coffee from tribal hamlets to world markets available at <https://www.cnbctv18.com/smart-living/the-amazing-journey-of-araku-coffee-from-Tribal-hamlets-to-world-markets-2543421.ht>

CHAPTER IV

SOCIAL WELFARE

INTERVENTIONS

- **Multidimensional Poverty Index (MPI) Report for the State**
- **Unified Health Care Act with provisions for Patients' Rights**
- **Anti-Quackery Legislation**
- **Mental Health Care Reforms**
- **Transgender Policy Implementation**
- **Welfare of Senior Citizens**
- **Consumer Welfare**
- **Equality Law to prevent discrimination**
- **A Consortium for channeling Social Impact**

16. MULTIDIMENSIONAL POVERTY INDEX (MPI) REPORT FOR THE

STATE

Status Quo

The Global Multidimensional Poverty Index (MPI) is a comprehensive report on poverty, released by the Oxford University's Poverty and Human Development Initiative (OPHI) and United Nations Development Programme (UNDP). The MPI identifies multiple aspects of poverty at the individual level in health, education and standard of living. The index adopts micro data from household surveys, unlike the Human Development Index (HDI) which combines macro level data available from different sources. The MPI requires that all the indicators needed to construct the index must come from the same survey. This makes the index more relevant and important for policymakers seeking to address the issue of poverty. Realising the importance of this, the Government of Andhra Pradesh partnered with Oxford University in preparing a Multidimensional Poverty Index for the State. The Vision Management Unit (VMU) of the Andhra Pradesh Planning Department coordinated with the Directorate of Economics and Statistics and Oxford University in the preparation of this report. This was sought to enable policymakers from Andhra Pradesh make informed choices while addressing poverty related policy issues.

Kerala boasts of its high position in HDI rankings released by the UNDP, and, in comparison to

European countries, it is currently the best in India. The HDI used aggregates macro country-level data whereas the MPI uses micro level data from household surveys, which are then projected as a measure of deprivation. This makes MPI more relevant than HDI. In a recent report (2018) published by the UNDP, the proportion of population living under multidimensional poverty reduced drastically from 13% to 1% with the intensity of poverty coming down from 39% to 37%. The data on change in the intensity of poverty suggests room for reform.

Intervention suggested

The State Poverty Eradication Mission (SPEM) of the Government of Kerala in association with the Planning Board and other relevant Departments can consider partnering with OPHI and/or other research and academic institutions in the preparation of an exclusive MPI report for Kerala to estimate the Multi-Dimensional Index at the State and District level. The widespread Kudumbasree network can be utilised for the household survey purposes. The MPI could be used to prioritise State and District level policy interventions. The index will also enable the policymakers in tracking the State's progress in achieving sustainable development goal number 1 i.e. to end poverty in all its forms everywhere.

Further reading

1. Global Multidimensional Poverty Index 2018 Report available at <https://ophi.org.uk/multidimensional-poverty-index/global-mpi-2018/>
2. Andhra Pradesh Multi-Dimensional Poverty Index Report available at https://www.mppn.org/wp-content/uploads/2018/03/Ordered_MPI-AP_final.pdf
3. MPPN. (2018). *Dimensions*, No. 5. English issue. Multidimensional Poverty Peer Network (MPPN) available at <https://mppn.org/mpi-andhra-pradesh-india/>
4. Handbook on How to Build a National Multidimensional Poverty Index (MPI): Using the MPI to inform the SDGs available at https://ophi.org.uk/wp-content/uploads/How_to_Build_Handbook_2019_PDF.pdf

17. UNIFIED HEALTH CARE ACT WITH PROVISIONS FOR PATIENTS' RIGHTS

Status Quo

Kerala's Public Health Laws are archaic and need urgent reform. The southern districts of Kerala fall under the purview of the Travancore-Cochin Public Health Act, 1955, whereas the northern districts follow the Madras Public Health Act, 1939. The Kerala Government had initially circulated a Draft Public Health Act, 2009 for public consultation. Later, the Justice Krishna Iyer led Kerala Law Reforms Commission had drafted a comprehensive Kerala Public Health Code for the Government's consideration. The State Health Policies finalised in 2013 and 2018 also emphasised the need for a unified Kerala Public Health Act combining the existing laws and incorporating the provisions catering to the current public health needs in the State. The present laws relating to health are silent about the rights of a patient. The National Human Rights Commission had drafted a Charter of Patient's Rights in consultation with public health activists and the same was released for public consultation in August 2018.

Interventions suggested

- 1) The Government should consider circulating the draft version of the ministry approved Unified Healthcare Act.
- 2) The Government may consider incorporating the National Human Rights Commission's Charter of Patient's rights. Suitable amendments can also be made in The Kerala Clinical Establishments (Registration and Regulation) Act 2017.

Further reading

- 1) Draft Public Health Act, 2009 available at http://www.arogyakeralam.gov.in/docs/go/public_health_act.pdf
- 2) Kerala Public Health Code drafted by the Justice Krishna Iyer led Kerala Law Reforms Commission available at http://www.keralalawsect.org/images/pdf/lrc_vol2.pdf
- 3) Charter of Patients' Rights for adoption by NHRC available at www.clinicalestablishments.gov.in/WriteReadData/8431.pdf

18. RIGHT TO HEALTHCARE ACT

Status Quo

The State Health Policy, 2019 acknowledges the surge in household level spending on healthcare in Kerala. Through this policy, the Government outlined its vision to establish a universal, free and comprehensive healthcare system in Kerala. Rajeev Sadanandan, (Retd.) IAS Officer and ex Additional Chief Secretary (Health) believes that inadequate investment in government facilities has resulted in people preferring the private sector for healthcare facilities. The Government aims to raise its budgetary allocation on health from the current 0.6 per cent of GSDP to at least 5 per cent by increasing it by 1 percent annually .

The Government of Rajasthan is finalising a Right to Healthcare Act, which could provide each citizen the right to healthcare services, including free diagnostics, outpatient care, medicines and hospitalisation through a network of public hospitals and enlisted private hospitals. This is being drafted by the Department of Health and Family Welfare in consultation with civil society participants like Prayas, Jan Swasthya Abhiyan Rajasthan, Save the Children and UNICEF.

Interventions suggested

- 1) Draft a comprehensive Right to Healthcare Act in consultation with the public at large for ensuring right to access to healthcare services.
- 2) Setup a dedicated research fund to facilitate health policy research at the state level. The School of *Health Policy* and Planning Studies(*Kerala University of Health Sciences*) can spearhead this initiative in promoting policy research.

Further reading

- 1) Report -Consultation on Right to Healthcare in Rajasthan
<https://www.prayaschittor.org/RightToHealthCareAct.php>
- 2) Madhya Pradesh Right to Health Conclave
<http://ayushmanbharat.mp.gov.in/conclave>
- 3) Right to Health Fact Sheet
www.ayushmanbharat.mp.gov.in/uploads/media/Right-To-Health-Fact-Sheet_31.pdf
- 4) Positive Outlier: Health Outcomes in Kerala, India over Time
https://www.globalhealthdelivery.org/files/ghd/files/ghd-042_kerala_as_a_positive_outlier_2018_09_05.pdf

19. ANTI-QUACKERY LEGISLATION

Status Quo

The Supreme Court, in *Kerala Ayurveda Parampariya Vaidya Forum vs. State of Kerala* (2018) 6 SCC 648 observed that untrained quacks pose a great risk to the entire society by playing with the lives of people on account of having no requisite training and education in the science from approved institutions. According to the World Health Organisation's Health Workforce India Report 2016, only one in five doctors (19 percent in rural India) are qualified to practice medicine. Even in Kerala, the number of fake doctors have increased in the past years.

In its Expert Committee Report(2014) on Health, the State Planning Board laments the lack of a comprehensive State Medical Practitioners Act despite the lapse of 58 years since the formation of Kerala State. The prevalence of erstwhile pre-reorganisation Travancore Cochin laws has, according to the Planning Board, resulted in the emergence of quack medical practitioners and the inability to establish properly elected Medical Councils in different systems of medicine. We need to prioritise comprehensive reforms in this sector to address this problem.

Interventions Suggested

- 1) Enact a comprehensive Medical Practitioners Legislation in consultation with relevant stakeholders. The draft should be circulated for public comments before being introduced in the Assembly. Provisions relating to punishments for quacks should be clearly laid down in the Act.
- 2) Create a database of all qualified Medical Practitioners practicing in Kerala. This should be made available in the public domain.
- 3) Mass awareness campaign against the working of quacks.

Further Reading

- 1) State Planning Board's Expert Committee Report(2014) on Health available at <https://kerala.gov.in/documents/10180/116ed2c9-70fa-442c-afdb-80bae6f00a4f>
- 2) Indian Medical Association's Anti Quackery compilation available at <http://www.ima-india.org/ima/left-side-bar.php?scid=291>
- 3) World Health Organisation's report on Health Workforce in India available at https://www.who.int/hrh/resources/16058health_workforce_India.pdf
- 4) Report on Kerala Sashtra Sahitya Parishad's Campaign Against Pseudo Science Using Law and Ethics available at <https://www.thehindu.com/news/national/kerala/a-capsule-to-fight-quacks-in-kerala/article27845077.ece>

20. MENTAL HEALTH CARE REFORMS

Status Quo

According to the results of the State Mental Health Survey Report 2017, at least 11.36 percent people in Kerala are struggling from mental illness of various kinds. As per National Crimes Records Bureau, the rate of suicides (per 1,00,000 population) in Kerala was 23.9 in 2014. However, we have only 1.2 psychiatrists for every 1,00,000 population in Kerala. This depicts a scary picture where we do not have adequate mechanisms to cope up with the mental health requirements in the State. We appreciate the Kerala Government's decision to crowdsource volunteers to provide support to those struggling with mental stress owing to the impact of the floods. We need a strong permanent institutional mechanism to tackle these challenges. The V S Achuthanandan led Fourth Administrative Reforms Commission's Report on Welfare to Rights has a dedicated chapter on the review of the mental health care scenario in the State. The Commission acknowledges that the current scenario demands major changes to accommodate the reforms necessitated by the Mental Healthcare Act, 2017 passed by Parliament.

Interventions suggested

- 1) Reconstitute the Kerala State Mental Health Authority as per the norms laid down under the Mental Healthcare Act, 2017.
- 2) The Government may consider amending the State laws and policies in accordance with the Mental Healthcare Act, 2017.
- 3) Set up institutions to impart education and training for mental health professionals.
- 4) Instruct media academies to train reporters on the Press Council guidelines on mental illness / reporting on suicide cases.
- 5) Update the Kerala State Mental Health Authority website. The website can be updated with educational and relevant content relating to mental health.
- 6) Initiate measures to encourage participation of organisations involved in mental health care related work.

Further Reading

- 1) State Mental Health Survey Report 2017 available at <http://indianmhs.nimhans.ac.in/Docs/statereports/Kerala-NMHS-Report.pdf>
- 2) Administrative Reforms Commission Report on Welfare to Rights available at <https://www.arc.kerala.gov.in/sites/default/files/inline-files/ARC-3rd%20Report-%20Report%203%20-%20Welfare%20to%20Rights.pdf>
- 3) Guidelines Adopted by PCI on mental illness / Reporting on suicide cases
<http://presscouncil.nic.in/WriteReadData/Pdf/PRtenineteentwenty.pdf>

21. TRANSGENDER POLICY IMPLEMENTATION

Status Quo

In 2014, the Indian Supreme Court's judgment in *National Legal Services Authority v. Union of India* case recognised that third gender persons were equally entitled to fundamental rights under the Constitution of India and under International Law. The Supreme Court directed governments to take policy measures to protect the rights of third gender persons. The Kerala Government took the lead by introducing a State Policy for Transgender People in Kerala in 2015. The policy seeks to provide them equal access to various opportunities, resources and services, right to equal treatment under the law etc. This policy has been widely appreciated by civil society and activists from other States are demanding a policy modelled on Kerala's in their respective States. There were 3902 persons in Kerala who have opted the 'other gender' option during the 2011 census. However, as per the census conducted in Kerala during 2015-16, there are 1,187 third gender persons in the Southern State. This data inconsistency depicts the need to end the societal stigma associated with people identifying themselves as third gender. The survey report of Kerala State Literacy Mission suggests that 50 % of Trans members in Kerala survive on a monthly salary of Rs 1,000 or less. Stories of trans employees being forced back into prostitution even after a progressive policy is in place calls for serious introspection. We need stronger efforts from the Government's side to ensure such persons a dignified life guaranteed under the Constitution of India.

Interventions suggested

- 1) A sensitisation campaign for non-trans gender community to help them understand that the non-binary nature of gender should be designed and endorsed. A sensible and sensitive civil society is essential for the implementation of this policy, which could be achieved through means such as gender literacy campaigns.
- 2) Set up a dedicated Project Management Unit to track the implementation of this policy. The data and research should be made available in the public domain regularly for academic and research endeavours.
- 3) Concerns raised by the transgender community regarding the process adopted for issuing ID cards by the Social Justice Department should be addressed.

Further reading

- 1) Transgender Survey Kerala 2014-15 available at <http://swd.kerala.gov.in/DOCUMENTS/Report/Survey%20Report/12157.pdf>
- 2) Continuing Education Programme for Transgenders available at <https://literacymissionkerala.org/en/services/continuing-education-programme-for-transgenders/>

- 3) Transgenders in Kochi Metro: the Unsaid Story available at <https://www.livemint.com/Leisure/hAxjCCa2Ovqv9DJSULDQHP/How-Kochi-Metro-is-making-a-difference-in-the-lives-of-trans.html>
- 4) No Country for Transgenders? Economic & Political Weekly September 10, 2016 Vol. II No. 37 available at https://www.academia.edu/29024444/No_Country_for_Transgenders
- 5) Mr. Tiruchi Siva's Private Member Bill as passed by Rajya Sabha in 2015 <http://164.100.47.4/billtexts/rsbilltexts/AsIntroduced/trangder-E.pdf>

22. WELFARE OF SENIOR CITIZENS

Status Quo

Kerala is growing old. The State leads the country in the share of elderly in the total population. According to the 2011 census, 13 percentage of Kerala's population was aged 60 against 8 percent at the national level. This figure is projected to increase by another 10 points i.e 23 % by 2026. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 Act was passed by the Parliament to provide a Safety Net for elderly citizens. The V.K. Beeran Committee appointed by the Government of Kerala observed the need to improve the effectiveness of implementation of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 Act. The National University of Advanced Legal Studies (NUALS) study report on the implementation of the Act also suggests room for improvement. An independent empirical study by Helpage India suggests that in a literate State like Kerala, only 30 percent of the elderly had awareness about the Act.

Intervention Suggested

- 1) The Government needs to take immediate measures for the effective implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 Act. The Social Justice Department should consider organising awareness events across the State with the help of Law Colleges.
- 2) A separate Department for Senior Citizens and an independent Commission on the lines of Women's Commission can be considered.

Further reading

- 1) NUALS Kochi Research Report on Human Rights of the elderly person : Law, Policies and Implementation with special reference to Kerala available at http://nhrc.nic.in/sites/default/files/Project%20Report%20on%20the%20Rights%20of%20the%20Elderly_NUALS.pdf
- 2) Helpage India's Preliminary Study on Effectiveness of the Maintenance and

Welfare of Parents and Senior Citizens Act, 2007 available at <https://www.helpageindia.org/wp-content/uploads/2018/01/Preliminary-Study-Effectiveness-Maintenance.pdf>

- 3) Administrative Reforms Commission Report on Welfare to Rights available at <https://www.arc.kerala.gov.in/sites/default/files/inline-files/ARC-3rd%20Report-%20Report%203%20-%20Welfare%20to%20Rights.pdf>
- 4) Study on the functioning of maintenance tribunals and appellate tribunals in Kerala constituted under the Maintenance and Welfare of Parents and Senior Citizens Act available at [http://swd.kerala.gov.in/DOCUMENTS/Report/Annual%20Report/FUNCTIONING O 14587 15644.pdf](http://swd.kerala.gov.in/DOCUMENTS/Report/Annual%20Report/FUNCTIONING%20O%201458715644.pdf)

23. CONSUMER WELFARE

Status Quo

Consumer related issues are not a new phenomenon in Kerala. News on unfair trade practices rendered by various entities to consumers are regularly reported from the State. The Consumer Protection Act, 2019 opens a new paradigm in the consumers welfare system. The Act expanded the scope of protection to consumers and attempted to make the product manufacturer and service provider liable for offences committed under the Act. The latest Act tries to address the product liability issue with the inclusion of definitions of words like product manufacturer, product seller and product service provider. The present Act provides for an electronic mode of registering complaints. The Act also promotes mediation as an institutionalised dispute resolution mechanism for consumer disputes. Kerala needs to be prepared to implement these changes. The Government's decision to set up a separate Directorate for Consumer Affairs is worth appreciating.

Intervention Suggested

1. Restart "Jago Grahak Jago"/ Unaru Upabokhthave Unaru programme. The Directorate for Consumer Affairs should consider awareness generation as the most important task at hand, educating the public about the laws and procedures involved in claiming recourse under the consumer protection law. Non dubbed original explainer videos and advertisements in Malayalam should be promoted.
2. The Kerala State Legal Services Authority in consultation with the High Court should consider drafting a comprehensive Kerala State Mediation Rules. This will hopefully facilitate more mediation based, out of court settlements.
3. Upabhokhtha Keralam E-magazine released by Kerala Consumers Affairs Department should give due emphasis on educating the audience about the latest changes in the Consumer Law.

Further reading

1. Consumer Protection Act, 2019 available at <http://egazette.nic.in/WriteReadData/2019/210422.pdf>
2. Punjab State Mediation Rules 2019 available at <http://pulsar.gov.in/sites/default/files/PUNJAB%20STATE%20MEDIATION%20RULES%20202019.pdf>

24. EQUALITY LAW TO PREVENT DISCRIMINATION

Status quo

The Right to equality is guaranteed by the Constitution of India. The State should take additional measures to end the practice of discrimination based on caste, religion, gender etc. The Dr N. R. Madhava Menon Commission in 2008 had recommended the setting up an Equal Opportunities Commission to fulfil the constitutional promise of equality. The Justice Krishna Iyer led Kerala Law Reforms Commission in 2009 had a Kerala Equal Opportunities Commission Bill to enable inclusive growth. Recent developments in Kerala suggests the need for intervention in this regard. Kerala should consider institutionalising an Equal Opportunities Commission through legislative intervention. Tarunabh Khaitan, a Professor at Oxford University, has created a database for educating the users on the need for an Anti-discrimination Bill.

<https://sites.google.com/site/tarunabh/Home/discrimination-law>

Relevant interventions

1. Shashi Tharoor's Private Member Bill on Equality and Anti-Discrimination
2. Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016
3. Centre for Law and Policy Research's Equality Bill 2019

Interventions suggested

1. Draft a Kerala Equality and Anti-Discrimination Bill in consultation with experts including Tarunabh Khaitan, Gautam Bhatia and Centre for Law and Policy Research. This draft can be released soliciting public comments before placing it in the Assembly for consideration and passing.
2. Take necessary steps to avoid the use of casteist slurs especially in mediums such as movies which impacts the public at large.

Further reading

1. Indian Constitutional Law and Philosophy Blog's roundtable on Equality Bill 2019 available at <https://indconlawphil.wordpress.com/2019/09/17/iclp-round-table-the-equality-bill-2019-a-response/>
2. Centre for Law and Policy Research's Equality Bill 2019 available at <https://clpr.org.in/wp-content/uploads/2019/06/Equality-Bill-2019-4.pdf>
3. Kerala Equal Opportunities Commission Bill drafted by the Justice Krishna Iyer led Kerala Law Reforms Commission available at http://www.keralalawsect.org/images/pdf/lrc_vol2.pdf
4. Shashi Tharoor's Anti-Discrimination and Equality Bill 2016 available at https://shashitharoor.in/private_member_bills_details/10
5. The Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016 available at <https://bombayhighcourt.nic.in/libweb/acts/Stateact/2017acts/2017.44.pdf>

25. A CONSORTIUM FOR CHANNELING SOCIAL IMPACT

Status quo

After the 2018 floods, the Government of Kerala created a rebuildkerala.in portal (version available at <http://test.rebuildkerala.in/public/home/Index>) in consultation with KPMG to allow users to crowdfund projects of their liking. The users could choose from 720 schools, 144 anganwadis, damaged houses from particular villages etc. and track the progress of the project that they funded. However, this interesting initiative did not receive the support it deserved. Therefore, at this juncture, where the need for a coordinated effort in rebuilding Kerala is required, we propose a consortium for channelising social impact. The Department of Information Technology, Government of Telangana has set up a 'T Social Impact group' to channelise CSR interventions across the State through effective and sustainable coordination between various stakeholders involved in social work, facilitating knowledge sharing and building synergies among them.

The Corporate Affairs Ministry vide GSR 390 E dated 30th May 2019, notified the inclusion of "disaster management including relief, rehabilitation and reconstruction activities" in a list of permissible CSR activities. A collaborative effort from the side of Government, Corporates, Civil Society organisations etc. can play a huge role in rebuilding Kerala.

Development Impact Bonds for Social investment

Development Impact Bonds (DIB), is a results-based development investment contract that involves three parties: a private investor, an outcome payer, and an implementing partner/service provider. The private investor invests money to carry on certain development projects that promises measurable social outcomes. On achieving these outcomes, the private player is paid back the capital along with interest. According to the India Development Review, the first DIB in India launched by a nonprofit, Educate Girls, in association with UBS Optimus Foundation and Children's Investment Fund Foundation has surpassed both its targets (increased girls' enrolment and improved learning outcomes) by 116 percent and 160 percent respectively. A total of 768 girls were part of the experimental project initiated by Educate Girls. It was found that the learning outcomes were 28 percent higher than girls who didn't opt for the Educate Girls project. It would be fruitful to consider the possibility of a governmental level institutionalising/facilitating of Development Impact Bonds in India. A return on investment is expected to motivate more private players to the philanthropic sector.

Interventions suggested

1. 'Rebuild Kerala Initiative' may consider institutionalising a Telangana Social Impact like consortium while incorporating the best practices.
2. Consider a policy framework for promoting social entrepreneurship through this initiative.
3. Consider the possibility of 'social impact development bonds' for financing the rebuilding process. This will allow private social impact investors to upfront capital for public projects that deliver social and environmental outcomes.

Further reading

1. Notification GSR 390 E dated 30th May 2019 Notification is available at http://www.mca.gov.in/Ministry/pdf/Notification_06062019.pdf
2. Telangana Social Impact Group available at <https://csr.telangana.gov.in/>
3. Social and Development Impact Bonds (Results-Based Financing) available at <http://www.undp.org/content/sdfinance/en/home/solutions/social-development-impact-bonds.html#mst-o>
4. International Financial Corporation's Social Bond Impact Report 2018 available at https://www.ifc.org/wps/wcm/connect/b8f067fc-bd5c-4d48-9408-f6f820018a28/IFC+Social+Bond+Impact+Report+FY18_FINAL_03132019.pdf?MO=D=AJPER_ES

26. INCREASING ACCESS TO ENTITLEMENTS

Status Quo

The Central and State Government have sought to empower and uplift sections of the society through numerous schemes and programmes. However, the benefits that these schemes can enable are lost in the incomprehensibility of eligibility, details of the scheme, and subsequent issues that arise from lack of democratisation of such information etc. With inadequate and scattered availability of this information, the objective of such welfare measures are rendered moot.

Intervention

There are initiatives such as Haqdarshak that are seeking to bridge this information gap and transform the way citizens access their entitlements. Their technology matches the citizen profile with scheme eligibility to determine a customized list of eligible schemes. They train village level entrepreneurs called haqdarshaks who go door - to - door helping citizens discover and apply for schemes. It is currently being used by the Governments of Tamil Nadu, Uttar Pradesh and Rajasthan to increase the reach of their schemes. The Government of Kerala ought also to collaborate with such initiatives to ensure maximum impact of these schemes.

Further reading:

1. Haqdarshak website <https://haqdarshak.com/what-do-we-do>

CHAPTER V

ENVIRONMENTAL

POLICIES

- **Environment Literacy Programme**
- **Comprehensive review of Water Policy**

27. Environment Literacy Programme

Status Quo

Kerala is slowly recovering from the impact of the natural calamities that hit the State in 2018 and 2019. On 10th September 2018, the United Nations Secretary General cited the Kerala floods in his UN Headquarters address on climate change. The white paper on environment released by the Kerala Government in May 2018, identifies the urgent need to address this alarming situation relating to climate change through mass literacy campaigns focusing exclusively on the environment. It is heartening to note that the Kerala State Literacy Mission Authority has prepared an ‘Environment Literacy Survey Report’ as part of its social literacy drive. The Report addresses the need for a serious intervention in this sector for educating the stakeholders. Environment literacy is one of the most relevant in the times where youth across the globe have staged a ‘Climate’ strike to awaken Governments and the public at large.

Interventions suggested

- A dedicated environment literacy initiative launched by Kerala State Literacy Mission Authority wherein the material and lessons are made mandatory in all Schools and Colleges in the State. The lessons should include dedicated chapters on best practices, environment laws and regulations etc.
- A massive online open course on environment, climate change and environment laws can be launched with the help of various agencies like Kerala State Disaster Management Authority, Kerala Infrastructure and Technology for Education etc. This can be prepared easily with the help of the expertise available in the State after initiation of the Rebuild Kerala Initiative Programme. The ease of access should enable more interest among the youth in the State to pursue this course.

Further reading

1. United Nations Secretary General’s remarks on Climate Change available at <https://www.un.org/sg/en/content/sg/statement/2018-09-10/secretary-generals->

[remarks-climate-change-delivered](#)

2. Environmental literacy report 2017 published by the Kerala State Literacy Mission Authority available at <https://literacymissionkerala.org/wp-content/uploads/2018/09/environment-literacy-report-PDF.pdf>
1. Environment White Paper 2018 approved by the Kerala Government available at <https://kerala.gov.in/documents/10180/9de2fo43-8fb3-4cba-8a4f-2d467ec85fo4>
2. United Nations Environment Learning Management System available at <http://elearning.unep.org/moocs/courses>
3. A Blueprint for Environmental Literacy: Educating Every Student In, About, and For the Environment available at <https://www.cde.ca.gov/pd/ca/sc/documents/environliteracyblueprint.pdf>

28. COMPREHENSIVE REVIEW OF WATER POLICY

Status quo

Kerala has faced two extreme water related problems on a regular basis every year. During the 2018 and 2019 monsoons, Kerala witnessed some of the worst floods and the consequent summer saw people struggle due to water scarcity. The State Water Policy finalised in the year 2008 is outdated and requires urgent review. According to the Composite Water Management Index prepared by the NITI Aayog, Kerala is one of the low performing States with more than two-thirds of the rural population and one-third of the urban population remaining uncovered under drinking water supply. The Standing Committee on Urban Development, in its 24th report, explained the need for a national strategy for water conservation and suggested the enactment of a national legislation on rainwater harvesting.

Mazhapolima, an open well recharge programme initiated by the Thrissur District Administration recently won international recognition through the Water Air Food Award 2018 for their water conservation measures. The District Rainwater Harvesting Mission has successfully put an end to water scarcity in the summer in the households that volunteered for the project. This project can definitely be replicated across the State with minimal investment.

Interventions suggested

1. Initiate measures to review the existing State Water Policy.
2. Take more proactive measures to promote water projects like Mazhapolima across the State.
3. Incorporate city level interventions for water management through amendments in master plans. Preparation of master plans should be made more participatory using technological and media support.

Further reading

1. Mazhapolima: Recharging open wells in Kerala available at <https://www.indiawaterportal.org/articles/mazhapolima-recharging-open-wells-kerala> <https://mazhapolima.org/wp-content/uploads/2018/11/RainBounty-Album-2017- min.pdf>
2. Composite Water Management Index 2019 available at <https://www.niti.gov.in/sites/default/files/2019-08/CWMI-2.0-latest.pdf>
3. 24th report of the Standing Committee on Urban Development on Rainwater Harvesting in Metro Cities
http://164.100.47.193/lsscommittee/Urban%20Development/16_Urban_Development_24.Pdf

CHAPTER VI

INVESTING IN YOUTH

- **Youth Policy**
- **Young Professionals in governance**
- **Entrepreneurship in School and College curriculum**
- **Village Adoption Programme for Colleges**
- **Allowing entry of Private Universities**

29. YOUTH POLICY

Status Quo

Investing in youth should be the most important policy priority for any State. In recognition of the needs and concerns of youth, the Kerala Government had formulated a Youth Policy in 2011 and established a State Youth Commission in 2014. As a consequence, the last eight years saw tremendous changes in the State wherein the youth's involvement triggered several changes. The Government's www.keralarescue.in portal used for effective coordination during Kerala floods was designed by a group of IEEE volunteers which was then taken up by the Government realising the importance of the project. The relevance of the Bandicoot robot in ending manual scavenging is evident from the partnership offers received by the students.

We need to reframe our policies to accommodate the aspirations of the vibrant youth community in Kerala.

Intervention suggested

- 1) Consider amending the State's Youth Policy 2011. The draft of the Policy should be circulated for public comments and district level consultations should be organised at prominent colleges. Engaging the youth in the state building process is crucial for the development of the State. Consider aligning with the 2014 policy finalised by the Central Government with effective localisation efforts.
- 2) Initiate internships for students to encourage civic responsibility among youth. An opportunity to work with the Government's impact making policies and their implementation can create a perception change among the youth about governance. Currently, Government related internships are restricted to a few Collectorates and Missions like Haritha Keralam.

- 3) The functioning of the Kerala Public Service Commission should be to facilitate timely announcement of exams, their smooth conduct, announcement of results and appointments.

The Union Public Service Commission's model followed for Civil Service Examinations ought to be considered as a case study. Eligible candidates should not be made to wait for years to receive an appointment order from the concerned authorities after clearing the competitive exams.

Further reading

- 1) National Youth Policy 2014 available at http://www.rgniyd.gov.in/sites/default/files/pdfs/scheme/nyp_2014.pdf
- 2) Tamil Nadu Youth Policy 2018 available at www.cms.tn.gov.in/sites/default/files/documents/TN_youth_policy_e_120418.pdf
- 3) Andhra Pradesh Youth Policy 2017 available at <https://aplegislature.org/documents/10936/57036/Short+Discussion+on+Youth+Policy+English.pdf/e0071980-8940-4335-867c-ec7aefca2cae>
- 4) The European Union Youth Strategy 2019-2027 available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2018:456:FULL&from=EN>
- 5) UNDP Report on Engendering the National Youth Policy available at https://www.in.undp.org/content/dam/india/docs/UNV/Engendering_The_National_Youth_Policy_2017_UNV_in.pdf

30. YOUNG PROFESSIONALS IN GOVERNANCE

Young professionals add innovation and energy to the projects initiated by the Government. Almost all major projects and departments of the Central Government regularly recruit contract based (1-3 year tenure generally) young professionals to assist the administration in implementation of various flagship projects. It is heartening to note that the Chief Minister of

Kerala appointed a few young professionals as Chief Minister's Fellow-IT (CMF-IT) as per the recommendations of the Infosys co-founder S D Shibulal led High Power IT Committee. The team assisted the Government in the successful organisation of the #FUTURE Conclave in 2018. Major flagship schemes of the Central Government like the Swachh Bharat and Poshan Abhiyan are supported by young professionals, hired and funded by the Tata Trusts, with a catchy prerak title (meaning motivator in Hindi) i.e Swachh Bharat Prerak and Swasth Bharat Prerak respectively. The '#CanAlpy' project initiated by the State Finance Minister in collaboration with the Kerala Institute of Local Administration (KILA) and Centre for Policy Studies (IIT Bombay) suggests that inclusion of young professionals in local governance is a win-win situation for all.

Interventions required

1. The creation of State and District level project management units for all flagship schemes would aid in effective implementation. The implementation authorities of the 4 flagship schemes (i.e. Haritha Keralam, Aardram Mission, LIFE Mission and Public Education Protection Mission) should definitely consider hiring young professionals.
2. Hiring young professionals with the help of established social sector organisations in collaboration with the Centre for Management Development(CMD) ought to be done. Training modules could be prepared by Institute of Management in Government, Trivandrum with the help of expert institutions like Indian Institute of Management Kozhikode, Centre for Development Studies Trivandrum, the State Planning Board etc.
3. Launch specialization courses like Masters in Public Policy in universities for encouraging youth in taking up public policy as a career option.

Further reading

1. Young Professionals in Local Governance - A win-win for all (KILA Presentation on Canalpy project) available at <http://lsgkerala.gov.in/system/files/2019-05/Engineers-for-Local-Governance.pdf>
2. Zila Swachh Bharat Prerak - India's new sanitation warriors <https://www.tatatrusts.org/upload/tata-water-mission-august-2018.pdf>
3. Convergence at Grassroots and Role of Swasth Bharat Preraks https://icds-wcd.nic.in/nnm/Events/TechThon/Convergence_at_Grassroots_Role_of_SBPs-TATA_Trusts-28-06-2018.pdf
4. Portal on Flagship Missions of the Kerala Government <http://missions.kerala.gov.in/>

31. ENTREPRENEURSHIP IN SCHOOL AND COLLEGE CURRICULUM

Status quo

Kerala was one of the first States to adopt policy measures for promoting student entrepreneurship at the School and College levels. The State Level Policy inspired the Government of India in the drafting and finalising the National Innovation and Startup Policy, 2019 for students and faculty. The Central Government's policy identifies the need to impart entrepreneurship education to students at curricular/ co-curricular/ extra-curricular levels through elective/ short term or long-term courses.

Institutions should take proactive measures to promote entrepreneurship through structured engagement with players in the sector. The latest reports on unemployment show that Kerala has the highest Unemployment Rate (UR) of 12.5 per cent. The situation demands a more aggressive approach towards creating a 'State of job creators instead of being a State of job seekers.' Modules on the successful entrepreneurs, ways to set up business in the state, sources of funding etc. should be made available to students to understand the window of opportunities in each sector. This will equip them to take informed decisions before taking an entrepreneurial plunge. Kerala can take a cue from the Delhi Government that proposed to introduce "Entrepreneurship Mindset Curriculum", as a mandatory subject for the students of Classes 9 to 12 studying in their Government-run schools.

Interventions suggested

1. Design a curriculum and framework to educate the audience about entrepreneurship and to facilitate interaction with entrepreneurs and the business community. Engaging the business community in the process will also facilitate a strong partnership between the stakeholders.
2. Setting up 'entrepreneurial schools' in identified areas could also be looked into.
3. Consider launching online open courses on entrepreneurship with the technical support of the Additional Skill Acquisition Programme (ASAP), Kerala Academy for Skills Excellence, Indian Institute of Management, Kozhikode etc.

Further reading

1. United Nations Industrial Development Organisation's Entrepreneurship Curriculum Programme available at https://www.unido.org/sites/default/files/2016-06/ECP_brochure_FINAL_o.pdf
2. National Innovation and Startup Policy 2019 for Students and Faculty available at <https://www.aicte-india.org/content/national-innovation-and-startup-policy-2019-students-and-faculty>
3. Delhi Government's Entrepreneurship Curriculum Framework available at <https://drive.google.com/drive/folders/1HSdYbzgQEK0vheopDvKVqVQEgg15Z37I>

4. Teach entrepreneurship in schools available at <https://www.thehindubusinessline.com/opinion/teach-entrepreneurship-in-schools/article8390233.ece>

32. VILLAGE ADOPTION PROGRAMME FOR COLLEGES

Status Quo

Kerala boasts the presence of 1348 higher education institutes (As per AISHE report 2018-19) in the State (Government, Aided, Autonomous and Self-financing). The number of colleges for one lakh of population, also known as college density, is 45 in Kerala. For a small State in terms of area like Kerala, this seems to be a big number. There are only 28 colleges per one lakh population in India as a whole on an average. This huge human capital can be utilised wisely for the State rebuilding process. A statewide programme, where educational institutions and students are promoted to assist neighbouring villages in the rebuilding process can be initiated. This will enable the institutions in engaging students in real life practical applications for their professional skills. This will also give students an opportunity to understand the possibilities of their professional education. The Unnat Bharat Abhiyan launched by the Government of India and coordinated by the Indian Institute of Technology, Delhi, could be considered as the starting point of the discussion. Unnat Bharat Abhiyan seeks to leverage knowledge institutions in helping villages in the preparation of the Villages Development Plan. Apparently 125 institutes in Kerala have cleared the initial challenge rounds and have adopted 649 villages.

Intervention suggested

1. Devise a detailed plan document in consultation with KILA, CDS, Planning Board, MPs, MLAs and other relevant stakeholders. Currently, MPs adopt a village on a yearly basis under the Sansad Adarsh Gram Yojana. A proper coordination between the actors involved in these activities could help boost the outcome.

Further reading

1. All India Survey on Higher Education 2018-19 available at <http://aishe.nic.in/aishe/viewDocument.action?documentId=262>
2. Record of Discussion and Major Recommendations proposed in the Brain Storming Workshop held on 13-14, November, 2015 at IIT Delhi <http://unnatbharatabhiyan.gov.in/app/webroot/files/minutes/Brain%20Storming%20Workshop%20with%20Subject%20Group%20Coordinators%20.pdf>
3. Unnat Bharat Abhiyan Brochure available at <http://unnatbharatabhiyan.gov.in/app/webroot/files/brochure.pdf>

4. List of participating institutes (Unnat Bharat Abhiyan) from Kerala available at <http://unnatbharatabhiyan.gov.in/state-wise-coverage?state=18>

33. ALLOWING ENTRY OF PRIVATE UNIVERSITIES

Status Quo

In 2015, the Kerala State Higher Education Council (KSHEC) Committee examined the feasibility of establishing private universities in Kerala. The Committee interacted with various stakeholders including sectoral experts and unanimously opined that the setting up of Private Universities in Kerala is extremely desirable and eminently possible. However, another KSHEC panel rejected the proposal to set up private varsities in the State. “In a state where public universities and institutions of higher education are doing well, private universities would only upset the social policy of distributive justice and the general standards of higher education with their asymmetrical academic outlook and pecuniary motives,” said the KSHEC resolution dated 28th March 2019.

The Government should facilitate the entry of private players to ensure access to affordable quality education within the State. This will also promote a healthy competition among the existing players in the education sector.

Interventions suggested

1. KSHEC to draft a comprehensive Bill in consultation with relevant stakeholders (including members of the student community) to facilitate the establishment of private universities with checks and balances to prevent asymmetrical academic outlook, misuse of autonomy and pecuniary motives.
2. Release the draft bill soliciting comments and inputs for a minimum period of 45 days.
3. Organise district level public consultation meetings to ensure a transparent platform for the community members.
4. Place the redrafted bill (addressing concerns of stakeholders) in the Legislative Assembly for its consideration and approval.

Further readings

1. Report of the Committee to study the feasibility of Establishing Private Universities in Kerala available at <http://kshec.kerala.gov.in/images/docs/pvt%20uty%20final.pdf>
2. KSHEC Minutes of Executive Body Meeting dated 28th March 2019 available at http://www.kshec.kerala.gov.in/images/pdf/Executive_Body_meeting_held_on_28-03-2019.pdf
3. PRS Policy Brief on the Role of the Private Sector in higher education available at https://www.prsindia.org/sites/default/files/parliament_or_policy_pdfs/1453203086_Role%20of%20Private%20Sector%20in%20Higher%20Education.pdf

CHAPTER VII

REFORMS FOR

PARTICIPATORY

POLICYMAKING AND

IMPLEMENTATION

- **Regular publication of White Papers**
- **State Statistics Commission**
- **Social Accountability Legislation**
- **Institutionalising Evidence Based Policymaking**
- **Participatory Budgeting at the State level**
- **People's Policy Campaign -Institutionalise Pre legislative Consultation**

34. REGULAR PUBLICATION OF WHITE PAPERS

Status quo

The Cambridge dictionary defines a 'white paper' as a Government report on a particular subject that gives information and details of future planned laws. In Britain, white papers and the consultations on the same play a crucial role in shaping policy decisions. White papers are gaining prominence in India with Governments taking proactive measures to release white papers on various sectors. In a welcoming trend noticed from the State of Andhra Pradesh, the previous Government had released white papers during the start and the end of the five year tenure of the elected Government. The Kerala Government also deserves appreciation for releasing a white paper on the State's finances in June 2016 as the first major step taken by the newly elected Government. However, we believe that publishing white papers should become a norm where the Government regularly interacts with stakeholders and the public at large to promote evidence based policymaking.

Interventions suggested

1. Publish white papers on major sectors to apprise the public about the status and prospects in a particular sector. White papers on the status of the economy, water management, waste resource management etc. are the most important ones, especially at a juncture where the State is struggling to recover from the catastrophic floods that hit it.

2. Structured consultations to engage the audience after publication of the white papers should be made possible. This can result in a People's Policy campaign organically without a conscious effort to engage the citizens.

Further reading

1. White Paper on State of Finances(2016) State of Kerala available at <https://kerala.gov.in/documents/10180/917644df-0f5f-491f-9963-6d9e2c2bf6ba>
2. Environment White paper 2018 approved by the Kerala Government available at <https://kerala.gov.in/documents/10180/9de2f043-8fb3-4cba-8a4f-2d467ec85f04>
3. Andhra Pradesh White Papers(2019) available at https://www.ap.gov.in/?page_id=35454
4. Andhra Pradesh White Papers(2014) available at https://www.ap.gov.in/?page_id=5982

35. STATE STATISTICS COMMISSION

Status Quo

Data is going to play a huge role in facilitating evidence based policymaking in the future. Policymakers should ensure public access to a regular supply of reliable user friendly updated data to ensure this. Kerala is one of the few States to have a dedicated portal (<https://kerala.data.gov.in/>) for open data. However, the data is not updated regularly and data from crucial documents like the Budget and the Economic Review are available only in a pdf format making comprehensibility difficult for target stakeholders. Inaugurating a Workshop organized by the State Planning Board in July 2019, the Kerala Chief Minister promised to establish a State Statistical Commission in Kerala. This should be complemented by a strong team of data researchers to assist the Commission along with a clear open data vision in the form of a policy framework. The Government of Tamil Nadu in 2016 made it mandatory for public funded research/ educational institutions to release their research works under Creative Commons Licenses. This will play a huge role in increasing access to information. A similar move in Kerala can enable the creation of a 'Knowledge Economy.'

Interventions suggested

1. Set up a State-level Statistics Commission supported by a team of strong team of researchers and data experts.
2. Budget data (including economic review) should be made available in open formats like Excel (XLS), Comma Separated Values (CSV), Open Document Formats for Spreadsheet (ODS), etc. This data set can be uploaded along with the

budget documents to enable researchers and data experts. Other innovative ways of visual representation could be explored to enable comprehensibility.

3. Drafting a comprehensive Open Data Policy in consultation with experts and the public at large would be an effective step. The right to data should invariably be a part of this vision document which would motivate authorities to regularly share public datasets with the public.

Relevant reading

1. Tamil Nadu notification instructing institutions to release research works under Creative Commons Licences
https://upload.wikimedia.org/wikipedia/commons/b/b9/GoTN_Tamil_Development_Departments_order_on_creative_commons_cc_by_sa.pdf
2. National Law University Delhi Centre for Innovation, Intellectual Property and Competition comment on Telangana's Open Data Policy 2016 available at <http://scholarship.ciipc.org/2016/09/28/comments-on-telangana-open-data-poliy-2016/>
3. Telangana Open Data Policy 2016 available at <https://www.telangana.gov.in/PDFDocuments/Telangana-Open-Data-Policy-2016.pdf>
4. United Kingdom Government's White Paper on Open Data (2012) available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/78947/Open-Data.doc

36. SOCIAL ACCOUNTABILITY LEGISLATION

Status quo

The People's Plan campaign initiated in 1996 gave a huge boost to the concept of active citizenry and participatory governance. The success of this prompted the Central Government to replicate the same in preparation of Gram Panchayat Development Plans. However, public accountability and transparency is limited to a select few schemes like the Mahatma Gandhi National Rural Employment Guarantee Scheme. We need a strong legislative framework that empowers citizens in participating and auditing various projects initiated using public money. In April 2017, the Meghalaya Legislature passed the Meghalaya Community Participation and Public Services Social Audit Act, the first of its kind. This legislation mandated social audits across 21 schemes and 11 departments. National Level NGOs that played a crucial role in institutionalising the RTI had drafted a Model Social Accountability Bill which was well appreciated. Kerala is a fertile land for sowing the seeds of accountability law. The State of Kerala that pioneered a number of social advancement measures should institutionalise social audit through a strong legislative framework.

Interventions suggested

1. Prepare a draft of the Kerala Social Accountability Bill in consultation with civil society members. The Bill should facilitate the involvement of the public in the planning, decision making, implementation, monitoring and evaluation of various schemes and departmental works.
 2. Circulate the draft for pre-legislative consultation for at-least a period of 45 days. Compile and upload the comments received on the Government portal.
 3. Organise district-level public consultation meetings to ensure a transparent platform for the community members.
-
1. Place the redrafted bill (addressing concerns of the stakeholders) before the Legislative Assembly for its consideration and approval.

Further reading

1. Meghalaya Community Participation and Public Services Social Audit Act available at [http://meglaw.gov.in/Notification/No.LL\(B\).14_2017_42_Dated_Shillong,_the_18th_April,_2017_The_Meghalaya_Community_Participaltion_and_Public_Services_Social_Audit_Act,_2017_\(Act_No._7_of_2017\).pdf](http://meglaw.gov.in/Notification/No.LL(B).14_2017_42_Dated_Shillong,_the_18th_April,_2017_The_Meghalaya_Community_Participaltion_and_Public_Services_Social_Audit_Act,_2017_(Act_No._7_of_2017).pdf)
2. Draft Rajasthan Social Accountability Bill 2018 circulated for public comments available at <https://web.archive.org/web/20190429135138/http://rajasthan.gov.in/wp-content/uploads/2019/02/SA-Bill-Draft.pdf>
3. English draft of Rajasthan Bhaagidari, Jawaabdehi aur Saamajik Ankekshan Bill, 2016 drafted by Civil Society Organisations www.jawabdehiyatra.in/wp-content/uploads/2016/01/Draft-Accountability-Bill-19-June-English.doc?fbclid=IwAR1IdWikUEVYEB7yPGLrrsA2mtmqAvzi45sfkpkFdaByErXRv20308w

37. INSTITUTIONALISING EVIDENCE BASED POLICYMAKING

Status quo

Our State is struggling with fiscal management owing to a lot of external and internal pressures. Fiscal management with limited resources would require more minds to work on targeted interventions. In a discussion with Prof. Karthik Muralidharan on the Indian Economy, Arvind Subramanian , former Chief Economic Advisor (CEA) emphasised the need for building the CEA equivalent in each State. Presence of a full-time expert team with an economics, law and public policy background can help the State in devising evidence-based policy reforms. The

Abdul Latif Jameel Poverty Action Lab(J- PAL), a global policy research center working on reducing poverty through evidence informed policymaking, has partnered the Government of Tamil Nadu to assist the State in strengthening the Government’s policy intervention. Another interesting initiative is from Andhra Pradesh where the Government entered into an MOU with National University of Singapore (NUS) to collaborate on strengthening governance research in Andhra Pradesh. The State of Kerala should also consider setting up an institutional mechanism for policy research, preferably by appointing a *Chief Economic Adviser* type officer at the State level who will be supported by resources to help the State in evidence based policymaking.

Interventions suggested

1. Appointing a Chief Economic Adviser type officer at the State level who will be supported by resources to help the state in evidence based policymaking. The team can be supported with the help of contract based meritorious young professionals.
2. Set up a Government Research Institute to exclusively focus on policy planning and implementation at the State level. The data they collect should be made available in the public domain for independent auditing and tracking of the progress of various governance initiatives .

Further reading

1. Driving policy-relevant research: J-PAL South Asia’s partnership with the Government of Tamil Nadu available at <https://www.povertyactionlab.org/news/driving-policy-relevant-research-j-pal-south-asia%E2%80%99s-partnership-government-tamil-nadu>
2. NUS and GoAP collaborate for improving governance, institutional strengthening, output and research in the State <https://apvision.ap.gov.in/news-events4.php>

38. PARTICIPATORY BUDGETING AT STATE LEVEL

Status quo

Currently, the budget discourse in Kerala is a secretive affair where a select few from the civil society, institutions and industry have access to the pre-budget discussions. This is not an ideal situation in a State known worldwide for its revolutionary people’s planning at the local governance level. ‘Idea Hunt!’ (The Participatory Planning Endeavor) of the State Planning Board, Kerala, that was launched in 2018, is a welcome change in the right direction. However, a more structured framework for making it truly participatory needs to be conceptualised. The Delhi Government’s participatory experiment in 2015 was appreciated by many, even though the Government faced challenges because of its Union Territory status.

Interventions suggested

1. Release an approach paper along with relevant data on the various sectors in the month of October for stakeholder comments. Stakeholders should be allowed to submit comments online and offline.
2. The compilation of the comments received from various stakeholders should be made available for public consumption. The Government can also explore the possibility of releasing the list of actions taken by it on the common and more important suggestions received from the public.
3. Pre budget public consultation events ought to be held in every district in December allowing the public at large to represent their views and apprehensions. Closed group consultations with relevant stakeholders should also happen side by side which will provide a forum for stakeholders to raise their problems and present their aspirations.

Further reading

1. Centre for Budget and Governance Accountability's Policy brief on Participatory Budgeting: A Case of Delhi available at <http://www.cbgaindia.org/wp-content/uploads/2017/11/PARTICIPATORY-BUDGETING.pdf>
2. People's participation in formulating India's annual budget is negligible available at <https://www.downtoearth.org.in/news/governance/it-s-a-sham-59711>
3. Participatory Budgeting Resources compiled by Ash Center for Democratic Governance and Innovation, Harvard Kennedy School available at <https://www.innovations.harvard.edu/participatory-budgeting-resources>
4. Opening the Budget to Citizens in Israel available at <https://www.opengovpartnership.org/wp-content/uploads/2017/05/case-study-Israel-Budget-Transparency-o-o.pdf>

39. PEOPLE'S POLICY CAMPAIGN -INSTITUTIONALISE PRE LEGISLATIVE

CONSULTATION

Status quo

The Kerala People's Planning Campaign experiment to engage the public in local governance has revolutionised the functioning of local governments across the nation. The success of this prompted the Central Government to replicate the same in preparation of its Gram Panchayat Development Plans. It is time for us to initiate a people's policy campaign at the State level

where citizens have a say in the policymaking process. The consultation process adopted by the authorities and the legislature while drafting and finalising the Kerala Police Act, 2011 was well appreciated by the members of civil society. Justice Krishna Iyer, during his stint as the Chairman of the Kerala Law Reforms Commission, had also endorsed the creation of a multi-stakeholder core group for preparation of policies after adequate consultation with stakeholders. It was suggested that the policy finalised by the core group ought to be placed in public domain for comments and suggestions ensuring representation and consultation with relevant stakeholders as well as the public at large. The current State Government has increased the instances of call for comments from the public and relevant stakeholders. However, we need a structured policy framework to promote regular consultations on policy decisions taken by the Government. This will bring public back to public policy facilitating evidence based policymaking .

Interventions suggested

1. The State Government should institutionalise pre-legislative consultation through a policy initiative, preferably a legislation which imposes a legal obligation on policymakers to consult the public, thereby providing citizens a right to participate in the policymaking process while at the same time penalising Officers for finalising the Bill without scrutiny or invalidating the laws for flawed policy making process etc. Create a portal for uploading call for comments initiated by different departments. This portal should also upload the comments received from various stakeholders to ensure transparency. The Telecom Regulatory Authority model could be followed.

Further reading

1. Report of Kerala Law Reforms Commission Volume I (2009) available at http://www.keralalawsect.org/images/pdf/lrc_vol1.pdf
2. Government of India's Pre-legislative Consultation Policy 2014 available at www.legislative.gov.in/sites/default/files/plcp.pdf
3. Democratising lawmaking: The Tale of Pre-Legislative Consultation Policy available at <https://www.medianama.com/2019/08/223-democratising-lawmaking-the-tale-of-pre-legislative-consultation-policy>
4. A Comparative Survey of Procedures for Public Participation in the Lawmaking Process: Report for the National Campaign for People's Right to Information available at <http://ohrh.law.ox.ac.uk/wordpress/wp-content/uploads/2018/02/1.-Comparative-Survey-of-Procedures-for-Public-Participation-in-Lawmaking-Process-Report-for-National-Campaign-for-Peoples-Right-to-Information.pdf>
5. Comments received by TRAI on Draft Recommendations on 'Ease of doing Telecom Business available at <https://main.traigov.in/draft-recommendations-ease-doing-telecom-business-comments-stakeholders>

CHAPTER VIII

LOCAL GOVERNANCE REFORMS

- **Re-energising Urban Reforms**
- **Participatory District Industrial Planning**
- **Waste Management**

40. RE-ENERGISING URBAN REFORMS

Status quo

The Urban Policy and Action Plan for Kerala approved in 2002, envisaged the Urban Regulatory Authority in Kerala to ensure participation in the private sector, avoid monopolies, maintain quality of services, ensure the availability of public services at a reasonable cost etc. The current status of our urban governance machineries in the State depicts the status of these reforms. Kerala should consider initiating state level reforms to re-energise the urban reforms in the State. The Government should also consider implementing the Administrative Reforms Commission's suggestion to consider direct elections to the post of Mayor in its Corporations. The stability and autonomy can enable the elected mayor to sustainably pursue urban development goals without being threatened about horse trading and instability. The individual decentralised entity should be provided with more financial freedom and autonomy to promote innovation and governance reforms at local governance levels.

Interventions suggested

1. Place the Select Committee approved Kerala Metropolitan Transport Authority Bill , 2018 immediately before the Legislative Assembly for consideration and approval.
2. Formulate a new urban policy and action plan considering factors like climate change and incorporate climate change resilient technology measures.
3. Amend the Kerala Town and Country Planning Act (KTCPA), 2016, Municipality Act,1994 etc., to incorporate sustainability provisions. The State-Level Committee appointed to suggest amendments should consider consulting public and relevant stakeholders before finalising the Report.
4. Consider direct elections to the post of Mayor.
5. Prepare local governance institutions for Municipal Performance Index related activities.

Further reading

1. Second Administrative Reforms Commission Report on Urban Governance available at https://darpg.gov.in/sites/default/files/local_governance6.pdf
2. Consultation Report on Municipal Finance Reforms in India's Municipalities available at <http://www.janaagraha.org/files/publications/Event-Report-Municipal-Finance-Reforms-Bengaluru-Oct-30.pdf>
3. Janaagraha's Report on Voice of City Governments available at http://www.janaagraha.org/files/Janaagraha_VOICEofCityGov.pdf
4. Municipal Perform Index Framework 2019 prepared for Ministry of Urban and Housing Affairs available at <https://competitiveness.in/municipal-performance-index-assessment-framework/>

41- PARTICIPATORY DISTRICT INDUSTRIAL PLANNING

The Ministry of Micro, Small and Medium Enterprises has compiled a brief Industrial Profile of 626 districts in India. Based on the compiled Industrial profiles, the district administration should be encouraged to prepare a District Industry Development Plan in consultation with stakeholders and the public at large. This can be implemented by taking a cue from the People's Plan Campaign that facilitated the preparation of Gram Panchayat Development Plans in more than 2 Lakh villages in India. The Ministry of Panchayat and the Ministry of Rural Development with the help of training and capacity building institutes have ensured public participation to a certain extent in the preparation Panchayat Development Plan. The campaign run from 2nd October 2018 - 31st December 2018 also ensured multiple stakeholder consultations before drafting, finalisation and approval of the Panchayat Development Plan. A similar campaign can be initiated by the Department for Promotion of Industry and Internal Trade with the help of the district administration and the Ministry of Micro, Small and Medium Enterprises. The District Industry Development Plan can facilitate participatory planning aided informed decision making process.

42. WASTE MANAGEMENT

Status Quo

Waste management is a serious problem for a densely populated state like Kerala where pressure on resources is evident. As per Government estimates, on an average 8580 metric tonnes of waste is generated per day all across Kerala, in its 941 Panchayats, 87 Municipalities and 6 Corporations. 49 percent of this waste is generated from households, suggesting the need for treatment at the source intervention. However, most of the households do not have any waste management support systems in place and rely on non-sustainable practices like burning

and dumping the waste in someone else's yard. We need a mass campaign to enable waste generators to treat the waste at source. Households, hotels, resorts, restaurants, malls etc. are mandated by Kerala Panchayati Raj and Municipality Act to treat waste at source. However these stakeholders are the most regular defaulters.

Intervention Suggested

- 1) Release a Whitepaper on Waste Management in Kerala. Invite inputs from public and relevant stakeholders to finalise a strategic action plan for waste management that is suitable for a unique location like Kerala.
- 2) The Alleppey model of the Decentralized Solid Waste Management project can be replicated in all other districts since, the decentralised system is ideal for a location like Kerala where land is scarce and water is abundant.
- 3) A Strategic PR campaign to popularise the Suchitwa Keralam's "My waste, my responsibility"
- 4) Prepare a bilingual booklet explaining the responsibilities of various stakeholders under the amended Waste Management rules. Post 2016, comprehensive waste management policies are in place with minimal awareness among the public at large.

Further reading

1. Our waste, our resources: a strategy for England (2018) available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765914/resources-waste-strategy-dec-2018.pdf
2. Government of South Africa's White Paper on Integrated Pollution and Waste Management, March 2000 available at https://cer.org.za/wp-content/uploads/2013/02/integrated_pollutionand_wastemanagement_o.pdf

CHAPTER IX

SUSTAINABLE

COMPETITIVE TOURISM

43. RE-VISITING THE TOURISM FRAMEWORK

Status quo

The Tourism Sector in Kerala offers an immense revenue generation potential. According to the Tourism Statistics Report 2017, during that year, international tourist arrivals to Kerala crossed 10 lakhs and the foreign exchange earnings reached Rs. 8,392.11 crores. Destination branding through the 'God's Own Country' tagline with the help of a strong marketing campaign has resulted in placing Kerala in the list of global tourist attractions. However, the State needs to improve the infrastructure, security, information, communication, etc. to project itself as a globally competitive tourist spot. For example, The World Economic Forum releases Travel and Tourism Competitiveness Report annually. In this, India is placed 35th (2018 rankings) in the world after considering parameters like business environment, overall Travel and Tourism policy and enabling conditions, infrastructure, price competitiveness, international openness, ICT readiness etc.

Interventions suggested

1. Create a State Travel and Tourism Competitiveness Index Report similar to the one prepared by the World Economic Forum to assess Kerala's competitiveness and to understand the policy and structural changes required to trigger tourist influx. The World Economic Forum relies on 14 pillars and 90 individual indicators to arrive at the final index score. The Kerala Institute of Tourism and Travel Studies (KITTS) in collaboration with relevant stakeholders can be entrusted with the task of preparing such a report. A perspective plan framework can also be prepared.
2. Drafting an eco-sensitive 'Responsible Tourism Policy' in the aftermath of the floods in 2018 and 2019.
3. Branding and creating a market for Geographical Indication products from Kerala.
4. KITTS should engage more in training and capacity building activities facilitating skill development in the tourism sector.
5. Initiatives like the Champions Boating League deserve more visibility among public.
6. The Government's PEPPER (Peoples' Participation for Planning and Empowerment through Responsible) Tourism Project should be replicated across the State enabling stakeholder participation in decision making process.

Further reading

1. The Travel & Tourism Competitiveness Report 2019 available at www3.weforum.org/docs/WEF_TTCR_2019.pdf
2. Kerala Tourism Perspective Plan Document 2002-03 to 2021-22 available at <http://tourism.gov.in/sites/default/files/Other/20%20Year%20Perspective%20plan%20ofinal%20Report%20of%20Kerala.pdf>
3. Destination Attractiveness of Kerala as an International Tourist Destination: An Importance- Performance Analysis available at <http://dspace.iimk.ac.in/bitstream/handle/2259/176/165-176%2BManoj%2BEdward.pdf?sequence=1&isAllowed=y>

CHAPTER X

GST REFORMS

44. GST 2.0

We believe that following issues require urgent attention and intervention from the policymakers

1) **Constitution of Grievance Redressal Committees (GRC) at Zonal/State level**

In the 38th meeting of the GST Council held on 18.12.2019, the GST Council recommended the constitution of Grievance Redressal Committees (GRC) at the Zonal/State level with both CGST and SGST Officers while including representatives of trade and industry and other GST stakeholders (GST practitioners and GSTN etc.). These committees will address grievances of specific/ general nature of taxpayers at the Zonal/ State level. The Government should expedite the process of appointing these Grievance Redressal Committees in the State of Kerala.

2) **Explore the possibility of a Settlement Commission**

In 2016, a Draft Model GST Law was circulated for stakeholder comments. In the model GST law, Chapter VIII proposed for the establishment of a Settlement Commission which didn't find a place in the final version of the bill that was placed in the Parliament. A Settlement Commission sought to provide an alternate dispute resolution forum for the taxpayer thereby expediting the dispute resolution process. The Kerala Government should consider exerting pressure on the GST council and the Central Government to facilitate this reform.

3) **Rationalisation and simplification of GST**

Currently there are five tax slabs under the GST framework. The Government should consider advocating for a merger of the 5%, 12% and 18% slabs and reducing the 28% to a simpler rate, thereby effectively making it a two-tier tax. According to a note shared by the Ex-Finance Minister Arun Jaitley, most items of consumer use have been brought in the 18%, 12% and 5% category. Rationalisation of the same will benefit customers and traders at large.

4) **Relaxation on Flood Cess**

The Kerala Government started levying of 1% flood cess on goods and services transacted within the State from 1st August 2019 to source Rs 1,200 crores within two years for the rebuilding process. As on 24th October 2019, the Government has sourced Rs 164.8 crores via flood cess imposition(Source : [Answer to V. S Sivakumar MLA's Legislative Assembly question dated 29th October 2019](#)). However, the imposition of this cess has effectively become a huge burden on the traders and public at large. Government should consider withdrawing or relaxation of the rate to reduce the impact on the population that is still struggling to recover from the impact of floods.

5) Address the delay in GST refunds

According to media reports(December 2019), a communication sent by the Director General of Analytics and Risk Management (DGARM) notes the delay in payment of GST refunds to 161 out of 245 Star Export Houses. The situation of medium and small scale players must be even more difficult. The Federation of Indian Exports Organisation has estimated that about 5,000 relatively small exporters have been denied their rightful claims which account for about 7% of MSMEs. The Government may consider extending the income tax like automatic refunds route for GST. The GST refund should be initiated based on the declaration made by the taxpayer and only those cases involving doubts and confusion should be investigated.

6) Withdraw GST 0.1% on Exports

The rate of GST was reduced from 18% to 0.1% for supplies of goods by manufacturers to merchant exporters to promote export in India. However, the compliance process for claiming the refund for this 0.1 percent GST makes the life of the exporter difficult. The Government should consider withdrawing this GST completely to facilitate ease of trading.

7) Compliance relaxation for the Service Sector

In the Pre-GST era, service sector undertakings were permitted to obtain a centralised registration for operating multiple offices. Compliance requirement demanded them to file two returns annually. However, the new GST regime requires companies to secure separate registration in each state of operation and file two returns on a monthly basis making it difficult to operate their business. The Government should consider taking necessary actions to support the service sector.



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